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[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE CITY AND COUNTY OF SAN
FRANCISCO, CALIFORNIA and THE
PEOPLE OF THE STATE OF
CALIFORNIA, Acting by and through San
Francisco City Attorney DENNIS J.
HERRERA,

Plaintiffs,

v.

PURDUE PHARMA L.P., et al.

Defendants.

Case No. 3:18-cv-07591-CRB-JSC
AMENDED
STIPULATION AND ~~PROPOSED~~
ORDER TO MODIFY CASE
SCHEDULE

Pursuant to Civil Local Rule 7-12, the People of the State of California, acting by and through San Francisco City Attorney Dennis J. Herrera, (“the People”), together with Defendants Walgreen Co., Teva Pharmaceuticals USA, Inc, Teva Pharmaceutical Industries Ltd., Cephalon, Inc., Actavis LLC, Watson Laboratories, Inc., Actavis Pharma, Inc. f/k/a Watson Pharma, Inc, Endo Pharmaceuticals Inc., Endo Health Solutions Inc., Endo International plc, Par Pharmaceutical, Inc., Par Pharmaceutical Companies, Inc., Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a/ Watson Pharmaceuticals, Inc., Allergan Sales, LLC, Allergan USA, Inc., Warner Chilcott Company, LLC, Actavis South Atlantic LLC, Allergan plc, Actavis Laboratories UT, Inc., Actavis Laboratories FL, Inc., and Anda, Inc. (the “Parties”) respectfully submit this stipulation to modify the current case schedule.

WHEREAS, the Parties agreed to modify the case schedule as proposed in the Parties’ May 7, 2021, Joint Case Management Statement (ECF No. 550), including changes to the substantial completion deadline;

WHEREAS, on May 10, 2021, the Honorable Jacqueline Scott Corley indicated that the Court was willing to adopt those proposed deadlines and directed the parties to file a stipulation and proposed order reflecting that schedule;

WHEREAS, following the hearing, Defendants raised concerns about Plaintiff’s productions of custodial files, including network drive documents;

WHEREAS, Plaintiff acknowledges that at the April 14, 2021, hearing it indicated it would complete production of all emails and network drive documents by May 14, 2021;

WHEREAS, Plaintiff regrets that, due to an internal misunderstanding, it did not complete its production of those documents by that date;

WHEREAS, Plaintiff has now completed production of all emails, and will complete production of all network drive documents by June 4, 2021, three weeks after May 14 and in advance of the new substantial completion deadline;

WHEREAS, as a result, Defendants have requested a three-week extension to the dates proposed on May 7, 2021, which Plaintiff does not oppose;

IT IS THEREFORE STIPULATED AND AGREED by the Parties, through their

respective counsel of record that, subject to the Court's approval, the case schedule shall be modified as set forth in the chart below, which adds approximately three weeks to the deadlines proposed on May 7, 2021, and contemplates a trial date of April 25, 2022.

Event	Current Schedule	Stipulated Amended Schedule
Custodial Productions Substantial Completion Deadline	--	June 4, 2021 ¹
Document Production Substantial Completion Deadline	February 26, 2021	June 21, 2021
Plaintiff's expert reports	May 21, 2021	October 5, 2021
Close of Fact Discovery	July 2, 2021	November 12, 2021
Defendants' Expert Reports	July 23, 2021	December 2, 2021
Plaintiff's Expert Rebuttal Reports	August 20, 2021	December 23, 2021
Close of Expert Discovery	September 3, 2021	January 14, 2022
Motions for Summary Judgment and <i>Daubert</i> Motions	September 24, 2021	January 24, 2022
Oppositions to Motions for Summary Judgment and <i>Daubert</i> Motions	October 22, 2021	February 25, 2022
Replies in Support of Motions for Summary Judgment and <i>Daubert</i> Motions	November 5, 2021	March 11, 2022
All Trial Materials Due	November 12, 2021	March 24, 2022
Final Pretrial Conference	November 19, 2021	April 4, 2022
Trial	December 6, 2021	April 25, 2022

¹ Except as ordered by the Court. *See e.g.*, Doc. 561 (ordering the Endo defendants to complete specific custodial productions "by June 21, 2021"). The parties further recognize that various disputes about the scope of Plaintiff's and various Defendants' productions remain, or may arise, so any production may not include custodial documents that are subject to current or future negotiations or responsive to discovery requests not yet agreed to in scope. After June 4, the only custodial documents that Plaintiff is aware of that will remain for it to produce are: (1) privilege and redaction review documents (i.e., documents set aside for privilege that could be produced after further review and/or redaction) and (2) documents that require re-review because of a coding issue or technical issue identified during the initial review.

DATED: June 3, 2021

Respectfully submitted,

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 Dated: June 15, 2021



4 CHARLES R. BREYER
5 United States District Judge
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ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the above signatories.

Dated: June 3, 2021

By: /s/ Thomas E. Egler

CERTIFICATE OF SERVICE

I hereby certify that, on June 4, 2021, service of this document was accomplished pursuant to the Court's electronic filing procedures by filing this document through the ECF system.

/s/ Thomas E. Egler
THOMAS E. EGLER

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

THE CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA and THE PEOPLE OF THE STATE OF CALIFORNIA,)	Case No. 3:18-cv-07591-CRB
Acting by and through San Francisco City Attorney DENNIS J. HERRERA,)	DECLARATION OF THOMAS E. EGLER
)	ACCOMPANYING STIPULATION AND
)	[PROPOSED] ORDER TO MODIFY CASE
)	SCHEDULE
Plaintiffs,)	
vs.)	
PURDUE PHARMA L.P., et al.,)	
Defendants.)	

1 I, Thomas E. Egler, pursuant to Local Civil Rule 6-2, declare the following:

2 1. I am a member in good standing of the State Bar of California and admitted to
3 practice before this Court. I have personal knowledge of the facts set forth herein and could and
4 would testify competently thereto if called as a witness. Pursuant to Civil L.R. 6-2(a), I make this
5 declaration in connection with the Stipulation and [Proposed] Order to Modify Case Schedule
6 (“Stipulation”).

7 **Reasons for the Requested Enlargement of Time**

8 2. The Stipulation generally moves the modifications previously sought by the parties
9 by three weeks. The trial date, previously requested to be April 4, 2022, is now requested to be
10 April 25, 2022.

11 3. As stated in the Stipulation, the parties previously agreed to modify the case schedule
12 as proposed in the parties’ May 7, 2021, Joint Case Management Statement (ECF No. 550),
13 including changes to the substantial completion deadline; and on May 10, 2021, the Honorable
14 Jacqueline Scott Corley indicated that the Court was willing to adopt those proposed deadlines and
15 directed the parties to file a Stipulation and proposed order reflecting that schedule.

16 4. Following the hearing, however, Defendants raised concerns about Plaintiff’s
17 productions of custodial files, including network drive documents. While Plaintiff acknowledged at
18 the April 14, 2021 hearing that it indicated it would complete production of all e-mails and network
19 drive documents by May 14, 2021, due to an internal misunderstanding it did not complete its
20 production of those documents by that date.

21 5. While Plaintiff has now completed production of all e-mails, and will complete
22 production of all network drive documents by June 4, 2021 (three weeks after May 14, 2021 and in
23 advance of the new substantial completion deadline), Defendants have requested a three-week
24 extension to the dates proposed on May 7, 2021. Plaintiff does not oppose the extension.

25 **All Previous Time Modifications in the Case, Whether by Stipulation or Court Order**

26 6. This action was initiated on December 18, 2018, and was transferred under 28 U.S.C.
27 §1407 to the Northern District of Ohio for inclusion in *In re Nat’l Prescription Opiate Litig.*, 1:17-
28 md-2804 (N.D. Ohio). It was remanded from that litigation in January 2020. See ECF No. 18

(Order Remanding Case). On April 2, 2020, the Court issued an Order Re: Partial Case Management Schedule setting deadlines for service of limited document requests, motion to dismiss briefing and submissions for a broader case schedule. ECF No. 142. Based on the parties' submissions, on June 16, 2020 the Court issued an Order Re: Amended Proposed Case Schedule. ECF No. 226.

7. On October 2, 2020, the Court issued an Order Re: Discovery Case Management Deadlines that adopted the parties' proposed extensions to the case schedule. ECF No. 296.

8. On May 7, 2021, the parties made a joint request for a schedule extension in their Joint Status Update. ECF No. 550. As noted above, this Stipulation generally adds three weeks to the dates sought in that documents.

The Effect the Requested Time Modification Would Have on the Schedule for the Case

9. The prior schedule, the schedule proposed on May 7, 2021 and the current schedule proposals are listed below:

Event	Current Schedule	May 7 Request	Stipulated Amended Schedule
Custodial productions substantial completion deadline	—	—	June 4, 2021
Document production substantial completion deadline	February 26, 2021	June 21, 2021	June 21, 2021
Plaintiff's expert reports	May 21, 2021	September 14, 2021	October 5, 2021
Close of fact discovery	July 2, 2021	October 22, 2021	November 12, 2021
Defendants' expert reports	July 23, 2021	November 11, 2021	December 2, 2021
Plaintiff's expert rebuttal reports	August 20, 2021	December 6, 2021	December 23, 2021
Close of expert discovery	September 3, 2021	December 20, 2021	January 14, 2022
Motions for summary judgment and <i>Daubert</i> motions	September 24, 2021	January 10, 2021	January 24, 2022
Oppositions to motions for summary judgment and <i>Daubert</i> motions	October 22, 2021	February 10, 2022	February 25, 2022
Replies in support of motions for summary judgment and <i>Daubert</i> motions	November 5, 2021	February 24, 2022	March 11, 2022

DECLARATION OF THOMAS E. EGLER ACCOMPANYING STIPULATION AND [PROPOSED]

ORDER TO MODIFY CASE SCHEDULE - 3:18-cv-07591-CRB

4815-1660-0301.v1

Event	Current Schedule	May 7 Request	Stipulated Amended Schedule
All trial materials due	November 12, 2021	March 3, 2022	March 24, 2022
Final pretrial conference	November 19, 2021	March 14, 2022	April 4, 2022
Trial	December 6, 2021	April 4, 2022	April 25, 2022

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 3rd day of June, 2021 at San Diego, California.

s/ Thomas E. Egler
THOMAS E. EGLER

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on June 4, 2021, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Thomas E. Egler
THOMAS E. EGLER

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